

#8,121/04 son

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

GLOWNY *et al.*

Application No. 09/876,958

Filed: June 8, 2001

For: **System and Method for
Integrating Call Record
Information**

Confirmation No. 9444

Group Art: 2645

Examiner: Scott Louis Weaver

Atty Dkt. 02158.0313.NPUS00
(Formerly 8740-064-999)

**Terminal Disclaimer to Obviate a Double Patenting Rejection Under
37 C.F.R. § 1.321(c)**

RECEIVED

DEC 05 2003

Commissioner for Patents
Washington, D.C. 20231

Technology Center 2600

Sir:

Dictaphone Corporation represents that it is the owner of the entire right, title, and interest of Application No. 09/876,958, filed on June 8, 2001 and U.S. Patent No. 6,246,946 that issued therefrom, by virtue of an Assignment from all of the inventors thereof executed on July 12, 1999 recorded on August 6, 1999 at Reel 010157 Frame 0519. Said assignment also covers all continuations from Application No. 09/328,294. As the above-named Application No. 09/876,958, is a continuation of Application No. 09/328,294, Dictaphone Corporation is the owner of the entire right, title, and interest of the above-named Application No. 09/876,958 by virtue of an assignment sent for recording on August 13, 2003.

Establishing Right of Assignee to Take Action Under 37 C.F.R. § 3.73(b)

A Certificate Under 37 C.F.R. § 3.73(b) establishing the right to act on behalf of the assignee, with regard to the above-identified application is being filed herewith.

02158.0313 Terminal Disclaimer (12-01-03).doc

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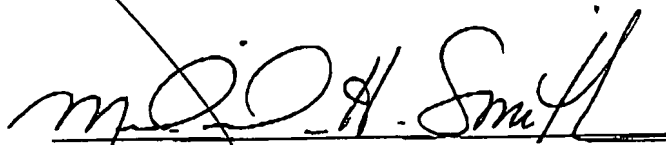
Disclaimer

Dictaphone Corporation hereby disclaims the terminal part of any patent granted on the above-identified application that would extend beyond the expiration of its co-owned U.S. Patent No. 6,246,946 and hereby agrees that any patent granted on the above-identified application, or any patent granted on the above-identified application and subject to the reexamination proceeding, shall be enforceable only for and during such period that said patent is commonly owned with the application or patent that formed the basis of the obviousness type double patenting rejection, this agreement to run with any patent granted on the above-identified application and to be binding upon the grantee, its successors or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term, as currently shortened by any terminal disclaimer, of Patent No. 6,246,946 in the event that Patent No. 6,246,946 later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term as presently shortened by terminal disclaimer, except for the separation of legal title stated above.

This disclaimer is accompanied by the fee set forth in 37 C.F.R. § 1.20(d).

Respectfully submitted,



Melinda H. Smith
Secretary, Chief Legal Counsel
Dictaphone Corporation

Date: 12/02/03